

CODE OF FEDERAL REGULATIONS

TITLE 36, CHAPTER 1

COMPENDIUM OF Designations, Closures, Request Requirements and Other Restrictions Imposed Under the Discretionary Authority of the Superintendent

Virgin Islands National Park

In accordance with the regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, and Parts 1 through 7, as authorized by Title 16, United States Code, Section 3, the following regulatory provisions are established for the Virgin Islands National Park and the lands and waters under its administration. These provisions are determined to be necessary to ensure the maintenance of public health and safety; protection of scenic, natural and cultural resources; the appropriate pursuit of scientific research; the equitable allocation and use of public facilities; and the avoidance of visitor/user conflicts.

Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in Chapter 1, Title 36, Code of Federal Regulations. Additional information may be obtained by contacting the Superintendent, Virgin Islands National Park, 1300 Cruz Bay Creek, St. John, VI 00830 or by calling (340) 776-6201, extension 243.

APPROVED:

Superintendent

Date

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Introduction to the Compendium

The purpose of the compendium is to provide the public and park employees with a document that lists the special designations, closures, public use limits, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent. The Superintendent's authority to implement these provisions is found in Title 36, Code of Federal Regulations (CFR), Section 1.5(a). The compendium is available to the public upon request. The compendium will be reviewed and updated annually to ensure adequate protection of the park's resources, provide for public safety and enjoyment and to address changes in public use patterns.

The provisions found in this compendium constitute only one of many tools designed to manage and protect the Virgin Islands National Park. It is important to utilize this document in conjunction with Title 36, Code of Federal Regulations, which includes the full text of National Park Service regulations, including those authorizing the provisions outlined in this compendium. Chapter I, Parts 1-7, of Title 36, include sections addressing resource protection, public use, recreation, boating, vehicles and traffic safety, commercial operations, and special regulations. These regulations are applicable on all federally owned lands and waters within the boundaries of Virgin Islands National Park and on lands and waters under the administrative control of the National Park Service. In addition, certain regulations found within Title 36 are applicable on non-federally owned lands under the legislative jurisdiction of the United States. Interested parties may also wish to review the Virgin Islands National Park planning documents including the General Management Plan (1983), Resource Management Plan (1999), and Commercial Services Plan (2001).

It is the intent of this compendium, in conjunction with park brochures, maps, signs and other media, to help provide the public and park employees with a clearer understanding of park rules and regulations. Any questions or requests for additional information should be addressed to any ranger or to the Superintendent's Office. We also welcome your comments and suggestions.

Send Comments To:

**Superintendent
Virgin Islands National Park
1300 Cruz Bay Creek
St. John, VI 00830**

36 CFR Section 1.4 Definitions

Boat Exclusion Area – Area designated with white oblong buoys marked with “NO BOATS” and/or the international “boats keep out” symbol – an orange diamond with a cross in it.

CFR – Code of Federal Regulations

Cinnamon Bay Beach Access Road – The road that runs from Route 20, North Shore Road to Cinnamon Bay beach, archeology lab and water sports concession.

Commercial Group – Any for-fee tour group of 12 or more persons (including tour guide/operator).

Commercial Services -- Activities or services conducted within the park by private parties for which a fee is charged.

Commercial Vessel – Includes both “six-pac” and multi-passenger day use sailboats and powerboats, company dive vessels, company kayaks, crewed charter sailboats and powerboats, and vessels associated with water sports operations. Excluded are bareboat (non-crewed) rentals or charter vessels or term charter vessels.

Cruz Bay Finger Pier – The pier between the Virgin Islands National Park Visitor Center and the Port Authority small boat mooring area.

LOA – Length Over All

NPS – National Park Service

Pack Animals - Horses, mules, burros, any animal from the cameloid family, or other hoofed mammals when designated as pack animals by the Superintendent.

Park Waters – All waters and submerged lands within the exterior boundaries of the Virgin Islands National Park.

PAOT – People At One Time.

Red Hook Wharf – The L-shaped docking area on the south side of Red Hook Bay adjacent to National Park Service property.

VIIS – Virgin Islands National Park

Additional definitions and terms applicable to restrictions, prohibitions, and conditions are found in Section 1.4, Title 36 of the Code of Federal Regulations and in approved planning documents, e.g. Commercial Services Plan.

36 CFR Section 1.5 Closures and Public Use Limit

GENERAL:

1. The Superintendent may temporarily close park roadways, parking areas, facilities, waters, and all or portions of the park when such actions are deemed necessary to ensure public safety, protection of resources, or the avoidance of visitor use conflicts. The posting of signs, maps, media announcements, and the use of barricades and/or gates will identify such closures.
2. The Superintendent may temporarily prohibit swimming and snorkeling at designated locations when conditions make such activities unsafe for the public or when such activities would threaten park resources.
3. Motorized vehicles may not enter Red Hook Entrance Road except during normal business hours from 8:00 AM to 5:00 PM. A barrier gate will secure the roadway from 5:00 PM until 8:00 AM daily. The Superintendent may grant permission for use of the road at times other than normal business hours.
4. Visitor and employee parking areas at park headquarters and the visitor center are identified by signage. Visitors shall park only in the designated visitor parking areas no longer than 30 minutes. Park employees shall only park in designated employee parking areas during duty hours and display a parking permit. Employees shall not park in these areas while off duty during business hours.
5. Trunk Bay administrative access roads are closed to public vehicular traffic.
6. All Cinnamon Bay campground campsites & roads, except for the main Cinnamon Bay beach access road, are closed to persons who are not registered campground guests. The main Cinnamon Bay beach access road through the campground is closed from 9:00 PM until 7:00 AM to persons not registered as campground guests.
7. The following facilities are closed to the general public:
 - A. Cinnamon Bay reverse osmosis plant
 - B. Lind Point housing area
 - C. Cinnamon Bay sewage treatment plant
 - D. Trunk Bay reverse osmosis plant
 - E. Cruz Bay Maintenance Yard
 - F. Inside Fee Collection Booths
 - G. Employee housing areas, including Lyne House, Trunk Bay House, Cinnamon Bay Residence, Island Fancy, Lily Maho, Montague House, Callahan House, and Lameshur Residence.
8. The NPS Firearms Range is closed to public use, except that the Superintendent may grant permission for use by non-NPS law enforcement personnel in accordance with the park's Firearms Range Use policy.
9. Balloons are not permitted in the park.

10. Food and drink are prohibited in the visitor center, public restrooms, and historic structures.
11. Land-based commercial groups are restricted to the following locations, unless specifically authorized by permit:
 - A. At Trunk Bay.
 - B. At Cinnamon Bay, in the restaurant area including the store, restrooms, and reception area. Campground facilities within the campground and the beach are closed to commercial tour groups.
 - C. Annaberg Historic Site.
12. The following areas are closed to group access from any type of commercial vessel:
 - A. That portion of Hawksnest Bay off the NPS beach, other portions of the bay to the west (Caneel/Hawksnest area) and to the east (Gibney/Oppenheimer beach area) would be open;
 - B. Denis Bay;
 - C. Jumbie Bay;
 - D. Francis Bay beach;
 - E. Mary's Creek except for authorized SCUBA diving operations and hurricane mooring;
 - F. Brown Bay;
 - G. NPS portion of Haulover Bay, except for authorized SCUBA diving operations;
 - H. All bays on the south shore without moorings.
13. Except for one cruise ship visitor transport vessel permitted only to visit Trunk Bay, individual commercial vessels providing visitor services within Park waters shall not exceed a capacity of 50 passengers.

VESSELS & WATER OPERATIONS:

Vessel Size

14. Vessels with a length overall (LOA) greater than 210 feet are prohibited from anchoring or mooring within park waters.
15. Commercial vessels with an LOA greater than 125 feet are prohibited from anchoring or mooring within park waters.
16. Private vessels with an LOA between 125 feet and 210 feet shall only anchor in sand seaward of mooring areas and at depths greater than 50 feet in Francis Bay shoreward of a line from Mary Point to America Point.
17. Vessels with an LOA between 60 and 125 feet shall anchor in north shore bays, in sand at least 200 feet seaward of mooring fields.
18. Vessels less than 26 feet LOA may access NPS beaches where channels have been designated by a red and green buoy to drop-off or pick-up passengers.

Boat Exclusion Areas

19. Motorized vessels or vessels under sail shall not enter or anchor in areas identified as Boat Exclusion Areas.

Anchoring and Mooring

20. Anchoring is prohibited within beach access channels marked by red and green buoys.
21. Vessels are not permitted to anchor within 200 feet of any mooring or buoy.
22. Vessels less than or equal to 16 feet LOA may anchor within park waters on the south side of St. John. The only exception is that anchoring is permitted for the specific purpose of fishing for Blue Runner in the area due south of Cabritte Horn Point extending to Virgin Islands Coral Reef National Monument boundary. Vessels over 16 feet LOA must use NPS provided moorings on the south side of St. John.
23. Vessels with an LOA of 60 feet or less are **required** to use NPS provided moorings if available; if moorings in a specific bay are fully occupied, vessels may anchor 200 feet seaward of mooring fields except for the south side. However, commercial day charter vessels and those vessels not staying overnight, may **only** anchor in Salomon Bay adjacent to Honeymoon Beach and Cinnamon Bay adjacent to Little Cinnamon Beach.
24. Vessels greater than 60 feet in overall length are prohibited from using NPS provided moorings and must anchor in sand at least 200 ft seaward of mooring fields, and in accordance with #13 - #16 under "vessel size" listed above.
25. Setting of anchors is prohibited while on moorings provided by the NPS. Vessels using NPS moorings may not use additional ground tackle.
26. Rafting of vessels is prohibited while using NPS provided moorings.
27. Securing vessels to moorings using stern cleats is prohibited.
28. NPS moorings shall be vacated if sustained winds exceed 40 mph.
29. NPS moorings shall not be modified by any user.
30. Vessels anchoring or mooring within park waters may not exceed thirty (30) nights in a calendar year and no more than seven (7) consecutive nights in one bay.
31. The National Park water area in Cruz Bay Creek in the vicinity of the boat ramp is authorized for only vessels 60 feet or less to anchor no longer than three hours, to utilize local public services.

Other Water Operations

32. Recreational kite surfing is prohibited in boat exclusion areas and mooring areas. Commercial Kite surfing activities are prohibited within park waters

33. Operating a vessel in excess of 5 mph or creating a wake in mooring fields or within 200 feet of a mooring field is prohibited.
34. Vessels docking at the NPS Cruz Bay finger pier are limited to (15) minutes to load and unload passengers.
35. Commercial and recreational use of the NPS dock facility at Red Hook is by special use permit only. Only vessels 60 feet or less will be considered for a permit.
36. The following commercial vessels are prohibited from transiting through National Park waters without a permit except for that area between Lovango Cay and Rata Cay. Vessels must transit west of NPS boundary buoy B at Lind Point, north of Rata Cay and north of NPS boundary buoy D at Johnson's Reef.
- Passenger Ferries
 - Cruise Ships
 - Tug boats
 - Barges
 - Cargo vessel's

Boat Launching

37. The public may use the designated boat-launching ramp in Cruz Bay to launch or retrieve their vessels; however parking of trailers, boats and vehicles on the ramp or surrounding area is prohibited.

Fishing

38. Fishing is prohibited at the following locations/times:
- A. Between 8:00 AM and 5:00 PM at NPS Red Hook dock and NPS Cruz Bay Finger Pier and bulkhead.
 - B. Within all designated boat exclusion areas.

36 CFR Section 1.6 (c) Permits

39. The following activities require permits. An application for a permit should be submitted to the Superintendent during normal business hours.
- A. Closed area use (36 CFR 1.5)
 - B. Specimen collecting (36 CFR 2.5a)
 - C. Special events (36 CFR 2.50)
 - D. Public assemblies and meetings (36 CFR 2.51)
 - E. Sale or distribution of printed matter (36 CFR 2.52)
 - F. Commercial services authorized by the Commercial Services Plan
 - G. Commercial photography may require a permit depending on the scope and extent of the activity.

(SEE NPS FILM GUIDELINES, DIRECTORS ORDER 51, SPECIAL PARK USES).
Permits usually are required for product advertising or when the permittee is using models, crews, or requires special accommodation or use of park facilities/areas. [36 CFR 5.5(a) (b)]

- H. Memorialization (36 CFR 2.62)
- I. Recreation Fee Areas (36 CFR 2.23)
- J. Exceeding vehicle load, weight, and size limits (federal regulations adopt Territory traffic laws)
- K. Vessels carrying passengers for hire within park waters (36 CFR 5.3).
- L. Vehicles carrying passengers for hire within the park (36 CFR 5.3).
- M. Taking or harvesting of downed wood products
- N. Taking or harvesting of hoop and wist vines
- O. Commercial use of the NPS Red Hook Dock
- P. All commercial activity

36 CFR Section 2.1 Preservation of Natural, Cultural, and Archeological Resources

- 40. The gathering of dead wood on the ground may be collected for use as fuel in NPS provided grilles or portable grilles used within the park.
- 41. The stapling, nailing, tying, or attaching any material to any vegetation, living or dead, or to utility poles and sign posts is prohibited.
- 42. The gathering by hand for personal use or consumption of the following fruits and plant products is permitted:
 - A. Coconuts
 - B. Limes
 - C. Mammey apples
 - D. Sour sops
 - E. Hog plums
 - F. Papayas
 - G. Mangoes
 - H. Genips
 - I. Guavas
 - J. Sweet Limes
 - K. Sugar apples
 - L. Seagrapes
 - M. Plant seeds
- 43. Hikers must stay on designated trails or walkways when such trails or walkways are provided for access and public use. Leaving a trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent trail or walkway is prohibited.

36 CFR Section 2.10 Camping and Food Storage

- 44. Camping is permitted only in designated sites at the Cinnamon Bay Campground.

45. The Cinnamon Bay Campground length of stay limit is fourteen (14) days from December 15 through April 15. The Superintendent may modify the length of stay limits and dates based on seasonal demand and occupancy levels.
46. Motorized generators may not be operated in the campground.
47. Food storage regulations as specified in 36 CFR 2.10(d) applies in park campgrounds, picnic areas, and parking lots.

36 CFR Section 2.13 Fires

48. Fires may only be built in NPS provided grills or in portable grills designed to contain combustible material. Ground fires are prohibited.

36 CFR Section 2.14 Sanitation

49. In non-developed areas, human waste must be buried at least 6 inches underground. Disposal of human body waste cannot be within sight of a trail or within 100 feet of a water source.
50. Trash being disposed of from vessels may not exceed two 10-gallon bags and must fit inside NPS trash containers identified for vessel trash in Cruz Bay, Francis Bay, Leinster Bay, Salt Pond and Little Lameshur Bay.

36 CFR Section 2.15 Pets

51. Pets are permitted in the park only in accordance with 36 CFR 2.15 and only in the following areas when physically restrained:
 - A. Roadside vistas and picnic areas
 - B. On maintained grounds surrounding public facilities and residential areas
 - C. In parking lots and on walkways not specifically closed to pets
 - D. Aboard vessels
 - E. On Trails.
52. Park residents may keep pets in accordance with the park housing policy and 36 CFR 2.15.
53. Pet handlers are responsible for immediately picking up, removing, and disposing of all pet excrement in developed areas.

36 CFR Section 2.21 Smoking

54. Smoking is prohibited as follows:
 - A. Within the interior portions of all NPS buildings.
 - B. At locations posted as no smoking areas.
 - C. Within 50 feet of a gas pump, or flammable materials storage area.

55. The Superintendent may restrict smoking in all or a portion of the park during periods of high fire danger.

36 CFR Section 2.23 Recreation Fees

56. Recreation fees are collected at Trunk Bay and Annaberg historic site. Entering these areas by land or water without paying the required fees is prohibited except during periods when the fee collection facility is closed.
57. Each vessel will be required to pay an overnight fee of \$15.00 per-night when mooring or anchoring in the park between 5:00 P.M. and 7:00 A.M. The overnight anchoring fee will become effective beginning October 1, 2004. Failure to pay the overnight fee is prohibited.

36 CFR Section 2.35 Alcoholic Beverages

58. Consumption of alcoholic beverages or the possession of an open alcoholic beverage container is prohibited as follows:
- A. Within NPS visitor centers.
 - B. While participating in an interpretive activity such as a guided hike or interpretive program.

36 CFR Section 2.51 Public Assemblies, Meetings

59. Public assemblies and meetings are allowed in accordance with the terms and conditions of a permit issued by the Superintendent.
60. Public assemblies and meetings are only permitted in designated locations specified on a map located in the Office of the Superintendent. SEE APPENDIX "A".

36 CFR Section 2.52 Sale or Distribution of Printed Matter

61. The sale or distribution of printed matter is allowed only in designated locations specified on a map located in the Office of the Superintendent. SEE APPENDIX "A".

36 CFR Section 3.21 Swimming and Bathing

62. Glass bottles or glass containers are prohibited on all beaches.

36 CFR Section 3.23 SCUBA Diving and Snorkeling

63. SCUBA diving and snorkeling is permitted in areas adjacent to beaches and inside boat exclusion areas. SCUBA diving and snorkeling is prohibited in designated boat channels, shipping lanes, and dock areas.

64. SCUBA diving is prohibited at Trunk Bay beach.

36 CFR Section 4.30 Bicycles

65. Bicycles are permitted only on established roadways (paved surfaces and dirt). Bicycles are prohibited on trails.